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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

Maria D. Nunez,

Plaintiff,

v.

Jo Anne B. Barnhart, Commissioner
of Social Security,

Defendant.

CV-F 05-0024 DLB

Hon. Dennis L. Beck
United States Magistrate Judge

STIPULATION TO EXTEND
SCHEDULING ORDER; ORDER
THEREON

Plaintiff Maria D. Nunez and defendant Jo Anne B. Barnhart, Commissioner of Social Security, through their undersigned counsel of record, **HEREBY STIPULATE**, subject to the approval of the Court, to extend the time for Plaintiff to file and serve her Opening Brief, pursuant to numbered paragraph 6 of the Court's January 5, 2005 Scheduling Order, to January 15, 2006; and that all other scheduling dates set forth in the Order shall be extended accordingly.

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1 The reason for the within stipulation is as follows:

2 1. Due to the power outage and damage by Hurricane Wilma to Miami Beach area,
3 plaintiff has not finished preparing all the necessary documentation or proposed pleadings.

4 2. This stipulation is being filed only so that justice may be served and not for the
5 purpose of delay.

6 Thus, counsel for Plaintiff is at this point not ready to prepare his opening brief. This
7 is plaintiff's second request for an extension of time.

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9 DATED: November 3, 2005

S/Stuart Barasch
STUART BARASCH, Attorney for
Plaintiff Maria D. Nunez

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12 DATED: November 7, 2005

McGREGOR W. SCOTT
United States Attorney

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15 S/Kimberly A. Gaab*
KIMBERLY A. GAAB
(*by fax authorization)
Assistant United States Attorney
Attorneys for Federal Defendant
JO ANNE B. BARNHART, Commissioner
16 of Social Security
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20 IT IS SO ORDERED.

21 **Dated:** November 7, 2005
22 3c0hj8

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE